



City of Seattle

Greg Nickels, Mayor

Department of Planning and Development

Diane Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3003142
Applicant Name: Mark Snyder
Address of Proposal: 7727 - 28th Avenue NE

SUMMARY OF PROPOSED ACTION

Master Use Permit for future construction of a multi-level retaining wall, to replace an existing wood retaining wall, in an environmentally critical area. Project includes 1,160 cubic yards of grading.

The following approval is required:

SEPA – Environmental Determination (Seattle Municipal Code Chapter 25.05)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS
 ☐ DNS with conditions
 ☒ DNS involving non-exempt grading,
 or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

The subject property is located in a Single Family 5000 zone, and is bounded by NE 77th Street on the south, Dahl Playfield on the west, and single family homes on the north and east. The proposed retaining wall replacement project is located at the southwestern corner of a large (1.6 acre) site developed as the Wedgewood Swim Club. The property is developed with a swimming pool, club house and parking accessory to the swim club. Adjacent properties are developed with a playfield and single family homes consistent with the SF 5000 zoning. Portions of the site are mapped as environmentally critical areas due to the presence of steep slopes.

Proposal Description

The applicant proposes to replace an existing railroad tie retaining wall with stabilized earth retaining walls with rockery facing. The new walls are proposed for the southwestern portion of the site near the swimming pool. The project would include grading of approximately 1,160 cubic yards of grading (total, including cut and fill). The retaining wall would be constructed in the steep slope critical area. The applicant received a limited exemption from the Environmentally Critical Areas Ordinance, due to previous site development (Project #2503226). However, the project is still subject to ECA review. The retaining wall would vary from about six feet to about ten feet in height. Construction of the retaining wall is being reviewed under DPD Project No. 6068023.

Notes on the face of the plans indicate that temporary construction fencing indicating “No construction beyond these limits” will be installed and that any access across the abutting Parks Department property will require permits and/or permission of the Parks Department. Similarly, any use of adjacent street right-of-way for shoring or staging (NE 77th Street) may require a Street Use Permit from Seattle Department of Transportation (SDOT).

Public Comments

The initial public comment period for the proposed project ended on September 28, 2005 and no comment letters were received.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist prepared on August 3, 2005, and supplemental information in the project file submitted by the applicant. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: 1) temporary soil erosion and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Building Code (construction measures in general) and 2) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts. However, the proposal site is located in environmentally critical areas. Therefore, additional discussion of earth impacts is warranted.

Earth / Soils

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a geotechnical engineering studies prepared by HWA GeoSciences Inc. dated November 12, 2004. The report evaluates construction of a reinforced fill retaining wall with modular or block or rockery facing and makes design recommendations. The geotechnical report is being reviewed by DPD's geotechnical experts (as part of their review of Building Permit Application No. 6068023) who have concluded that the proposed construction may proceed without undue risk to the property or to adjacent properties, and that the proposal complies with the Stormwater, Grading and Drainage Control Code. No additional conditioning is warranted pursuant to SEPA policies.

Other Short-term Impacts

The other short-term impacts not noted here as mitigated by codes, ordinances, or conditions (e.g., additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation or discussion.

Long-term Impacts

According to the SEPA checklist, approximately 200 sq. ft. of existing concrete patio will be replaced with lawn. This will help to mitigate any additional site coverage by impervious surface as a result of the new walls. Any long-term impacts associated with construction of the new retaining walls will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code. Other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by condition.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS - SEPA

None.

Signature: (signature on file)
Molly Hurley, Senior Land Use Planner
Department of Planning and Development

Date: May 4, 2006